

**UNITED STATES DISTRICT COURT**

**for the**

**Western District of North Carolina**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender  
Probation Form 49, Waiver of Hearing is Attached**

Name of Offender: Richye Meshawn Porter

Case Number: 3:98CR294-5-MU

Name of Sentencing Judicial Officer: The Honorable Graham C. Mullen  
Chief U.S. District Judge

Date of Original Sentence: 2-22-00      Register Number:      PACTS Number: 7253

Original Offense: 21:846; 21:841(a)(1) - Conspiracy to possess with intent to distribute, and  
distribute cocaine and cocaine base

Original Sentence: 70 Months Imprisonment; 3 years Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: 7-2-04

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**PETITIONING THE COURT**

- ☐ To extend the term of supervision for    years, for a total of years.  
☒ To modify the conditions of supervision as follows:

"The defendant shall submit to home detention, with electronic monitoring or other location verification system, for a period 3 months at the direction of the U.S. Probation Officer. During this time, the defendant shall remain at his/her residence except for employment and other activities approved in advance by the probation officer. The defendant shall maintain a telephone at the place of residence without any "call forwarding," "caller ID," "call waiting," modems, answering machines, cordless telephones or other special services for the above period. The defendant may be required to wear an electronic device or submit to another location verification system and shall observe the rules specified by the Probation Officer."

The defendant will be responsible for the cost of home confinement with electronic monitoring or other location verification system pursuant to the probation office's self-pay policies.

**CAUSE**

Offender tested positive for marijuana on 3-16-05 and was placed in treatment at McLeod Center. While in treatment he tested positive on 5-16-05 and 5-17-04 for cocaine and marijuana.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

by *Terri B. Hedrick*  
Terri B. Hedrick  
U.S. Probation Officer  
(704) 350-7644  
Date: 5-25-05

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**THE COURT ORDERS:**

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
☒ The Modification of Conditions as Noted Above  
☐ Other

5/26/05  
Date

*Graham C. Muller*  
Signature of Judicial Officer



Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision

**UNITED STATES DISTRICT COURT**  
**for the**  
**WESTERN DISTRICT OF NORTH CAROLINA**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

"The defendant shall submit to home detention, with electronic monitoring or other location verification system for a period of 3 months at the direction of the U.S. Probation Officer. During this time, the defendant shall remain at his/her residence except for employment and other activities approved in advance by the probation officer. The defendant shall maintain a telephone at the place of residence without any "call forwarding," "caller ID," "call waiting," modems, answering machines, cordless telephones or other special services for the above period. The defendant must be required to wear an electronic device and shall observe the rules specified by the Probation Officer."

The defendant will be responsible for the cost of home confinement with electronic monitoring or other location verification system pursuant to the probation office's self-pay policies.

Witness:

*John B. Hedrick*  
U.S. Probation Officer

*5-25-05*

Date

Signed:

*Richard Porter*  
Probationer or Supervised Releasee